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*Attorneys for Brocade  
Communications Systems, Inc.*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

MARY E. BARBOUR AS TRUSTEE FOR  
THE MARY E. BARBOUR FAMILY  
TRUST ONE, Derivatively On Behalf of  
BROCADE COMMUNICATIONS  
SYSTEMS, INC.,

Plaintiff,

vs.

GREGORY L. REYES, DAVID L.  
HOUSE, MICHAEL KLAYKO,  
RICHARD DERANLEAU, KUMAR  
MALAVALLI, ANTONIO CANOVA,  
MICHAEL J. BYRD, STEPHANIE  
JENSEN, NEIL DEMPSEY, SANJAY  
VASWANI, L. WILLIAM KRAUSE,  
ROBERT R. WALKER, GLENN C.  
JONES, MICHAEL J. ROSE, SETH D.  
NEIMAN, NICHOLAS G. MOORE,  
CHRISTOPHER B. PAISLEY, WILLIAM

Case No. C 08-02029 CRB

[PROPOSED] ORDER

Date: September 19, 2008

Time: 10:00 a.m.

Court: Hon. Charles R. Breyer

1 K. O'BRIEN, LARRY SONSINI, MARK  
2 LESLIE, TYLER WALL, RENATO A.  
3 DIPENTIMA, JOHN W. GERDELMAN,  
4 ROBERT D. BOSSI, KPMG, LLP,  
5 WILSON SONSINI GOODRICH &  
6 ROSATI, P.C. AND DOES 1-25, inclusive,

7 Defendants,

8 -and-

9 BROCADE  
10 COMMUNICATIONS  
11 SYSTEMS, INC., a Delaware  
12 corporation,

13 Nominal

14 Defendant.

**[PROPOSED] ORDER**

WHEREAS, Nominal Defendant Brocade Communications Systems, Inc. ("Brocade") has requested this Court to take Judicial Notice of certain documents, pursuant to Rule 201 of the Federal Rules of Evidence; and

The Court, having considered the briefs and other documents in support of and in opposition to the motion, having heard the arguments of counsel, and being fully advised in this matter finds as follows:

NOW, THEREFORE, IT IS HEREBY ORDERED that Nominal Defendant Brocade Communications Systems, Inc.'s Request for Judicial Notice is GRANTED.

IT IS SO ORDERED.

Dated:

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The Honorable Charles R. Breyer  
United States District Judge